

MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF REGENTS OF THE DEL MAR COLLEGE DISTRICT  
October 12, 2004

The Regular Meeting of the Board of Regents of the Del Mar College District convened in the Isensee Board Room, Harvin Student Center, Del Mar College East Campus, Baldwin and Ayers, Corpus Christi, Texas, at 1:00 p.m. on Tuesday, October 12, 2004, with the following present:

From the Board:

Mrs. Minnie Arriaga, Dr. Haysam Dawod, Mrs. Olga Gonzales, Mr. Bill Martin, Mr. Gabe Rivas, Mrs. Dorothy Spann, Mr. Guy Watts, and Ms. Beverly Winters.

From the College:

Dr. Carlos Garcia, College President; Mr. Jose Alaniz, Vice President, Business and Finance; Dr. Rosie Garcia, Interim Vice President of Learning and Academic Affairs; Mr. Jose Rivera, Vice President of Student Development and Community Learning; Ms. Barbara Kimball, Assistant to the Vice President for Business Services; and other administrators, faculty, and staff.

From the Attorney's Office:

Mr. Stephen Hilmy.

Others:

Other interested citizens.

**CALL TO ORDER/QUORUM CALL/MOMENT OF SILENCE**

Mr. Gabe Rivas, president of the Board, called the meeting to order. With a quorum present, he requested a moment of silence.

**RECOGNITION**

Ms. Claudia Jackson recognized several students for their accomplishments: Ms. Marina Marie Ramon, who was recently crowned Queen of the 45<sup>th</sup> Feria de las Flores; and students in technical programs who received Mano a Mano Scholarships from the Corpus Christi Hispanic Chamber of Commerce: Mr. Adolfo Aleman, Process Technology, Robstown High School; Ms. Zulema Cervantes, Physics, Roy Miller High School (who was the only one able to attend the meeting); Mr. Jacob Hanson, Chemical Engineering; Mr. Brian Cantu, Chemical Engineering, Gregory-Portland High School; and Ms. Diane Guerrero, Mechanical Engineering, Tuloso-Midway High School.

**PUBLIC COMMENTS—3 minutes** (None)

**COMMITTEE REPORTS**

**Ad Hoc Committee on Outside Legal Counsel**—Mrs. Minnie Arriaga, chairperson of the Committee, reported that they had reviewed the responses and interviewed the four firms that had submitted a response to the RFQ. All four firms were well qualified, and a recommendation would be made later in the meeting. The recommendation would include the offer of a one-year contract with duties to include attending Board

meetings and advising the Board.

**Buildings and Grounds Committee**—Mr. Rivas, chairperson of the Committee, reported that they had met earlier in the day and took the following action: heard an update on the East Campus needs; heard procedures for developing construction contracts, which would be submitted at the next meeting; approved the construction manager-at-risk contract with Zachry/Moorhouse Construction for the Public Safety Complex; awarded and approved the construction contract with Moorhouse Construction for the West Campus Central Plant Expansion Project; and announced that groundbreaking ceremonies would be scheduled soon for the West Campus bond projects.

### **REGENTS' REPORTS AND COMMENTS**

Mr. Guy Watts and Mr. Bill Martin reported on the recent ACCT conference they attended. Issues for discussion at the conference included the under-prepared student, leadership training, community colleges' role in business and economic growth, alternative energy, use of technology in the planning and evaluation process, CEO evaluation, role of trustees in the learning college, and negotiations with faculty. Written reports were provided to Board members.

### **STAFF REPORTS**

**Report on Legislative Priorities:** Ms. Claudia Jackson reviewed the sources of revenue, state appropriations, decrease in formula funding, change of revenue per contact hours, and the decrease in employee benefit funding. She reported that the proposed legislative priorities were prepared by administration, with the concurrence of the Board president and the chairperson of the Board's Legislative Committee. Priorities: #1, restore funding to community and technical colleges, and endorse TACC's request for an additional \$357.9 million to the formula for fiscal years 2005-2007; #2, request that employee benefits be fully funded for community and technical college faculty and staff; and #3, support the concept of unifying all community college taxing districts with their respective service areas. It was the consensus of the Board that approval of the priorities be included as an action item at the next meeting. Ms. Jackson asked that the Board submit any suggestions to her to incorporate into the list. *DOC #04-20*

### **COLLEGE PRESIDENT'S COMMENTS**

Dr. Carlos Garcia expressed his appreciation to the Board members who took the time to attend the recent ACCT conference. He then presented Mr. Steve Hilmy with several Del Mar College memorabilia for his service to the College.

### **APPROVAL OF MINUTES (#1)**

Mrs. Dorothy Spann made a motion, seconded by Dr. Haysam Dawod, to approve the minutes of the Regular Meeting, September 14, 2004, as presented. Mr. Rowland Andrade, a Del Mar College student, questioned the location within the minutes of the report on the Student Grievance Policy Committee. Mr. Rivas pointed out the location, and the motion then carried by unanimous vote of those present. Administration was requested to send a copy of all minutes to the Library for review by others.

### **AD HOC COMMITTEE'S RECOMMENDATION PERTAINING TO SELECTION OF OUTSIDE LEGAL COUNSEL (#2)**

Mrs. Arriaga made a motion, seconded by Mrs. Spann, to approve the recommendation by

the Ad Hoc Committee on Outside Legal Counsel, to select the firm of Dunn, Weathered, Coffey, Rivera, Kasperitis & Rodriguez, P.C.; to enter into a one-year contract, to be negotiated at a later date, and that legal counsel will sit in at Board meetings. Mrs. Arriaga pointed out that Mr. Augustine Rivera would serve as the firm's contact person for the College. It was the consensus that the College president, internal legal counsel, and vice president of Business and Finance negotiate a contract that would be submitted to the Board for review and approval. After a brief discussion, the motion carried with Arriaga, Dawod, Gonzales, Martin, Rivas, Spann, and Winters voting in favor; none opposing; and Watts abstaining.

**ACCEPTANCE OF FINANCIAL STATEMENT FOR AUGUST 2004 (#3); ACCEPTANCE OF INVESTMENTS FOR SEPTEMBER 2004 (#4)**

Dr. Dawod made a motion, seconded by Mr. Watts, to accept the financial statement for August 2004, and the investments for September 2004, as presented, and the motion carried by unanimous vote of those present.

**CLOSED SESSION—EMPLOYMENT, EVALUATION, DUTIES AND DISCIPLINE OF PUBLIC OFFICERS OR EMPLOYEES (#5); CONSULTATION WITH AND RECEIVING ADVICE FROM THE COLLEGE ATTORNEY RELATED TO PENDING OR CONTEMPLATED LITIGATION, A SETTLEMENT OFFER (#6)**

The Board entered into closed session in accordance with Sections 551.071 and 551.074 of the Government Code beginning at 2:00 p.m. The Board ended closed session and reconvened at 2:40 p.m. No action was taken.

**CALENDARING DATES (#7)**

Buildings and Grounds Committee—9:00 a.m.  
Ad Hoc Committee on Outside Legal Counsel—10:00 a.m.  
Called Meeting—10:30 a.m. on legislative priorities.

Mr. Watts asked that the Ad Hoc Committee on East Campus needs schedule their November meeting on a Tuesday.  
He also requested several items be included on the November agenda: free speech issue, idea of dividing academic affairs into two parts: university transfer programs for (1) arts and sciences, and business; and vocational/technical programs.

With no further business, the meeting adjourned at 2:45 p.m.